



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,844	11/13/2001	Kwei Tang Chang	MR2349-711	6175
4586	7590	10/01/2003	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			CECIL, TERRY K	
			ART UNIT	PAPER NUMBER
			1723	

DATE MAILED: 10/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/986,844

Applicant(s)

CHANG, KWEI TANG

Examiner

Mr. Terry K. Cecil

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Art Unit: 1723

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of the presence of legal language (e.g. "comprises"). Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

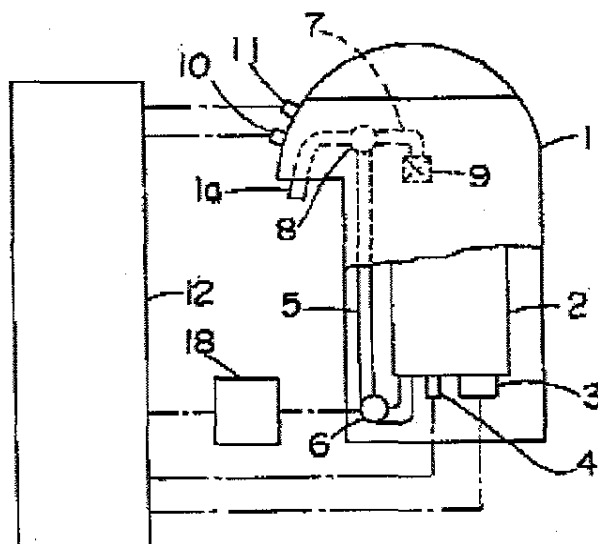
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

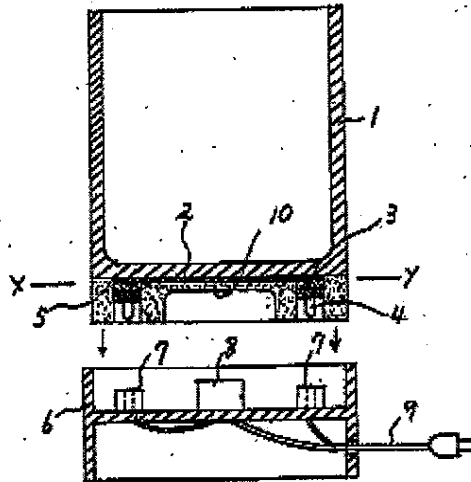
3. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 8-206000, hereinafter '000 in view of JP 7-59660, hereinafter '660 and JP 57014141, hereinafter '141. For explanatory purposes, figure 1 of '000 has been reproduced on the next page.



As shown above, '000 teaches a portable water dispenser that includes an inner container 2, heater 3 and pump 6 therebelow the container and a filter 9 thereabove. The water flow pipe 5 is arranged such that water from the container can be recycled thereto or dispensed from outlet 1a [as in claim 1], wherein the reflux mouth (end of pipe 7) is higher than the filtered water outlet 1a [as in claim 3]. As for claim 4 the filter 9 would inherently include a plurality of holes at a bottom thereof in order to perform the filtering function [as in claim 4].

'000 does not explicitly disclose the container 2 to be made of glass. However, such is known in the art of '141. Figure 1 of which is reproduced on the next page.

图 1

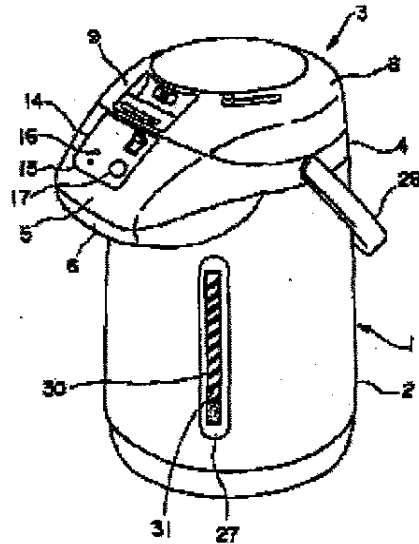


As shown above, '141 teaches a container 1 for heating water that is made of glass (see the English abstract) [as in claim 1]. It is considered that it would have been obvious to one ordinarily skilled in the art at the time of the invention to have the container 2 of '000 to be glass, as in '141, since '141 teaches the benefit of "a transparent material that is heat and shock resistant.

'000 does not explicitly disclose a water button for dispensing the water from the device.

However, such is known in the prior art of '660. Figure 1 of '660 has been reproduced on the next page.

【圖1】



As shown above, '660 teaches a button 17 for dispensing water. It is considered that it would have been obvious to one ordinarily skilled in the art at the time of the invention to have the button of '660 in the invention of '000 since '660 teaches the benefit of dispensing heated water upon demand from a portable water thermos—a goal of '000.

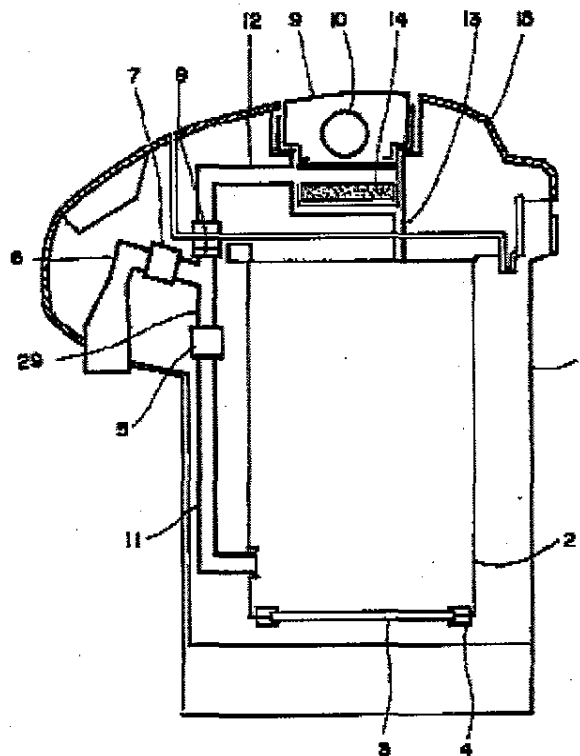
As for claim 2, '660 also teaches a window 27 [as in claim 2]. It is considered that it would have been obvious to one ordinarily skilled in the art at the time of the invention to have the window of '660 in the invention of '000, as modified by '441, since '660 teaches the benefit of indicating to the user how much water is in the inner container. Such would allow the user to know when water needs to be added to the device and also prevent operation when the container is empty that could damage the pump.

Art Unit: 1723

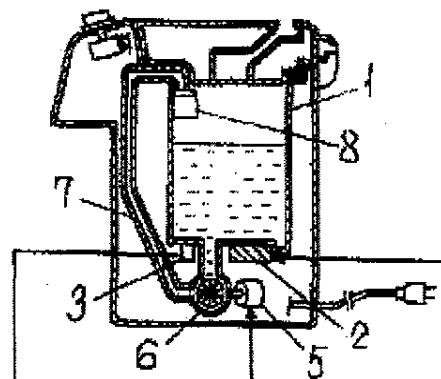
Other Pertinent Art

4. Before amending the claims, the Applicant should consider the following germane references that teach various aspects of the invention:

- JP 10-211104

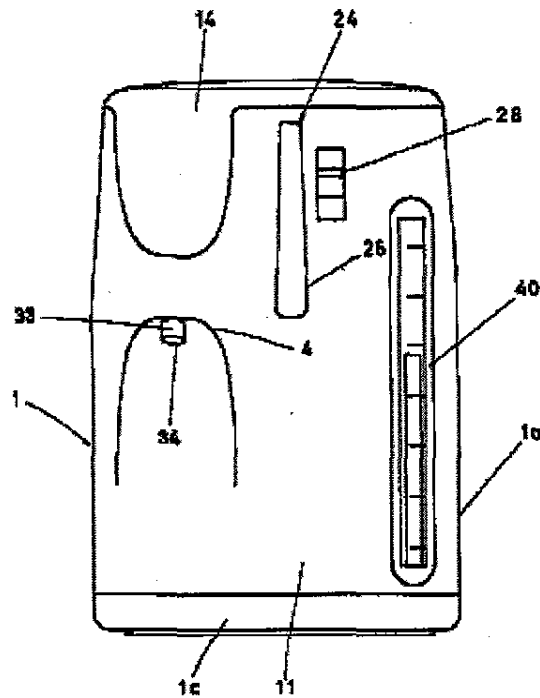


- JP 9-37940



Art Unit: 1723

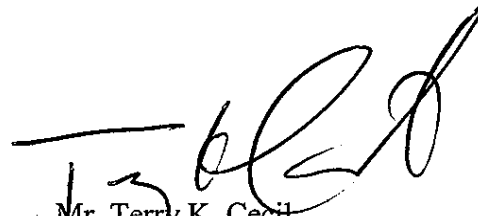
- JP 11-285448 teaches a transparent window 40.



Art Unit: 1723

5. Contact Information

- Examiner Mr. Terry K. Cecil can be reached at (703)305-0079 for any inquiries concerning this communication or earlier communications from the examiner.
Note that the examiner is on the increased flextime schedule but can normally be found in the office during the hours of 8:00a to 4:30p, on at least four days during the week M-F.
- The group receptionist can be reached at (703)308-0661 for inquiries of a general nature or those relating to the status of this or proceeding applications.
- Wanda Walker, the examiner's supervisor, can be reached at (703)308-0457 if attempts to reach the examiner are unsuccessful.
- The Fax number for this art unit for official faxes is 703-872-9306.



Mr. Terry K. Cecil
Examiner
Art Unit 1723

TKC
September 26, 2003